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Attorneys for Plaintiff DAVID TOURGEMAN

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

DAVID TOURGEMAN, on behalf of
himself and all others similarly situated,

Plaintiff,

V.

COLLINS FINANCIAL SERVICES, INC.,
a corporation, NELSON & KENNARD, a
California partnership, DELL FINANCIAL
SERVICES, L.P., a Delaware limited
partnership; CIT FINANCIAL USA, INC.
a Delaware corporation; and DOES 1 - 10,
inclusive.

Defendants.

Case No.: 08-CV-1392 JLS (NLS)

**NOTICE OF VOLUNTARY DISMISSAL
OF DEFENDANT CIT FINANCIAL USA,
INC.**

1 **TO: ALL PARTIES AND THEIR COUNSEL OF RECORD**

2 Plaintiff David Tourgeman ("Plaintiff") requests that, pursuant to Federal Rule of
3 Civil Procedure 41(a)(2), Defendant CIT Financial USA, Inc. ("CIT") be dismissed **with**
4 prejudice from the above-entitled action. Plaintiff and CIT agree to waive costs and fees.

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7 Dated: October 27, 2010

JOHNSON BOTTINI, LLP
Brett M. Weaver
Francis A. Bottini
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10 */s/ Brett M. Weaver*

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